

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS ALAN ARTHUR,

Defendant.

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CRIMINAL NO. P-19-CR-774

**UNITED STATES' MOTION TO EXTEND TIME TO RESPOND TO DEFENDANT'S
MOTION FOR POST-VERDICT JUDGMENT OF ACQUITTAL**

Comes now, the United States of America by and through undersigned counsel, and respectfully requests this Court extend the time afforded to the United States to file a response to Defendant's Motion for Post-Verdict Judgment of Acquittal (Doc. No. 110).

On February 4, 2021, Defendant filed a 15-page motion for judgment of acquittal arguing, for the first time, constitutional issues related to the statutes that he was convicted of violating. Under Local Rule CR-47, the United States has 11 days to file a response. Pursuant to Federal Rule of Criminal Procedure 45 and Local Rule CR-45, the United States must file a response in opposition no later than Monday, February 15, 2021. Due to the significant constitutional issues raised by Defendant for the first time in this post-trial motion, the United States respectfully requests additional time, to February 26, 2021, to adequately brief the issues for the Court.

Undersigned counsel conferred with defense counsel, who is unopposed.

Respectfully submitted,

By: /s/ Austin M. Berry
AUSTIN M. BERRY

Trial Attorney

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF System, which will, in turn, send notification of said filing to all counsel of record through the CM/ECF System.

_____/s/_____
Austin M. Berry
Trial Attorney

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

THOMAS ALAN ARTHUR,

Defendant.

CRIMINAL NO. P:19-CR-774

ORDER

BEFORE THE COURT is the United States' Motion to Extend Time to Respond to Defendant's Post-Trial Motion for Judgment of Acquittal. The Court having considered the Motion finds that the Motion should be GRANTED, and the United States shall file its opposition in response by February 26, 2021.

IT IS SO ORDERED.

SIGNED and ENTERED this _____ day of _____, 2021.

DAVID COUNTS
United States District Judge